

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,	:	
	:	
- against -	:	07-CR-1039 (LAK)
	:	
IRVING SANTIAGO,	:	
	:	
Defendant.	:	
-----X	:	

SENTENCING MEMORANDUM #3

ReedSmith

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June 26, 2008

VIA HAND DELIVERY

Honorable Lewis A. Kaplan
United States District Judge
Southern District of New York
40 Centre Street
New York, New York 10007

Re: United States v. Irving Santiago, 07-CR-1039(LAK)

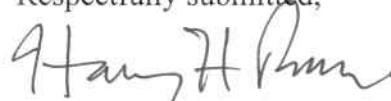
Dear Judge Kaplan:

I am counsel for defendant Irving Santiago ("Santiago") and write to enclose three additional letters for Your Honor's consideration in connection with Mr. Santiago's sentencing on July 2, 2008 at 10:15 a.m. Please find letters from the following individuals:

- (1) Doris Montalvo, Mr. Santiago's mother;
- (2) Mayra Cruz, Mr. Santiago's sister-in-law; and
- (3) John C. Flynn, a Pastor.

The probation officer did not have the opportunity to review any of the five letters submitted to the Court on Mr. Santiago's behalf before making her sentencing recommendation.

Respectfully submitted,



Harry H. Rimm

Enclosures

cc: Carrie Cohen, Esq. (Via Hand Delivery) (w/Enclosures)

June 25, 2008

Dear Judge Lewis .A. Kaplan

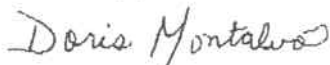
I am writing you on behalf of my son Irving Santiago. I am his biological mother Doris Montalvo currently residing at 725 Garden street #9E Bronx, NY 10457. I love my son very much and I know that my son needs help in regards to his substance abuse. He grew up in a very dysfunctional family, a family of domestic violence and didn't have the opportunity of having his father around very long as he passed away at Irving's early years of struggle.

As a mother I ask that you be compassionate and understanding to our spiritual, emotional and mental turmoil knowing that my son is incarcerated. However, allow me to make clear that I don't want to justify nor rationalize Irving's actions. I want him to be accountable in whatever part he took to be where he is. I want my son to receive treatment as oppose to confinement.

My son is a great son. He has proven in spite of all circumstances that he can become that productive member of society that is required to be civil. His experiences have served him well to understand that we are all enrolled in an informal school called life, and that many mistakes will be made as long as we work on not repeating them again. He deserves a second chance and the opportunity to prove himself once again.

He use to be a counselor, and served his church and learned about his belief's as well as he mastered to communicate with others that have lived a portion of what he has been through. Your honor, I have two other sons the eldest Fernando Santiago who serves our country in the army and the second oldest Edwin Santiago is a maintenance worker with an eight month old daughter that he loves and supports. Irving has positive role models in his life that can assist him and guide him to a better way of life. I support, encourage and will assist him in any way I can as a friend, a woman, and a mother to help my son achieve his goals and become that man, father, and friend to his own son. Please, I ask that you take all the above into consideration and help my son.

Thanking you in advance

A handwritten signature in cursive script that reads "Doris Montalvo".

Doris Montalvo

June 25, 2008

Dear Judge Lewis .A. Kaplan

My name is Mayra Cruz and I am Irving Santiago's sister-in-law, Edwin Santiago's wife. I currently reside at 2131 Vyse ave #2A Bronx, NY 10460. I work as a Criminal Justice Advocate for the Urban Justice Center in down town Manhattan. I met Irving Santiago about three years ago and I found him to be a very motivated and spiritual individual who was seeking a better way of life.

He was always positive and had a great interest in raising his son and being the father he didn't have growing up. Irving is a positive young man with great intensions to do better in life. I remember certain obstacles that led him to his substance abuse. I have longed to assist Irving in getting connected with the right programs and reconstructing his life especially in his belief for spirituality. He has so much to offer and has a passion for the Christian walk. I have never met anyone who spoke with such pure conviction to the things in which he believed.

Irving is very close to my Husband Edwin Santiago whom he looks up to with great respect. Irving shared many good times with his son and the family and was that one person who always put a smile on our faces. He has a great sense of humor and a very compassionate heart.

Irving deserves a second chance at life and to be treated fairly with helping him with treatment and guiding him towards a new beginning of recovery. We miss him very much and we know that he can overcome this temporary stagnation that has caused him to stumble.

His family, wonderful people and are willing to assist him in any way that they can. His mother has suffered a great deal with Irving's incarceration it has been a strong impact as I would imagine for any mother who loves their child would go through what I have witness Irving's mother go through.

Irving is not doing this time alone as we all feel his absence and wish for him to be home with his son and family. I ask that this case your honor is look at with compassionate eyes and an understanding heart, but also with fairness to all.

Sincerely,

A handwritten signature in cursive script that reads "Mayra Cruz". The signature is fluid and stylized, with the first and last names clearly legible.

Mayra Cruz

Saint Martin of Tours Church

182nd STREET & CROTONA AVENUE

Rectory, 664 Grote Street

BRONX, NEW YORK 10457

(718) 295-0913

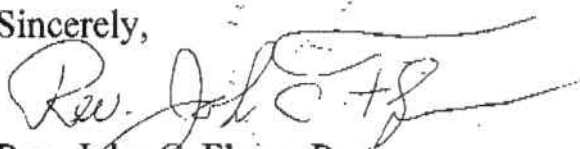
June 25, 2008

To whom it may concern:

I have known Irving Santiago for a number of years. Whenever I met him he was friendly when we spoke together.

I am sorry to hear he now has trouble. I hope it can be worked out in the best way possible.

Sincerely,



Rev. John C. Flynn, Pastor